IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

WEDNESDAY, THE 10TH OCTOBER 2007 / 18TH ASWINA 1929

WP(C).No. 24489 of 2007(M)

PETITIONER:

D. GEORGE MOHANDAS,
S/O. J,. DANIEL,"MORINING VIEW"
A.R. NAIR COLONY, KUNNATHURMEDU,
PALAKKAD-678 013.

BY ADV. SRI.N.N.SUGUNAPALAN (SR.)
SRI.S.SUJIN

RESPONDENTS:

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1. THE JOINT REGISTRAR OF CO-OPERATIVE SOCIEITES, PALAKKAD, (ARBITRATOR IN A.R.C.NO. 1304/98).

2. SECRETARY,ELAPPULY SERVICE C0-OPERATIVE BANK LTD., ELAPPULLY.

3. MARY PAUL, W/O. GEORGE MOHANDAS, "MORINIG VIEW"A.R. NAIR COLONY, KUNNATHURAMEDU, PALAKKAD-678 013.

R1 BY GOVT. PLEADER SRI. P.K. RAVIKRISHNAN.
R2 BY ADV. SMT.K.AMMINIKUTTY

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 10/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC. 24489/2007.

APPENDIX

PETITIONER'S EXTS:

EXT. P1 : TRUE COPY OF DOCUMENT NO.226/88 EXECUTED IN FAVOUR OF THE PETITIONER.

EXT. P2 : TRUE COPY OF THE ORDER OF ATTACHMENT DATED 15.2.1999 PUBLISHED IN THE NEWSPAPER.

EXT. P3 : TRUE COPY OF THE CLAIM PETITION DATED 1.3.1999 FILED BY THE PETITIONER BEFORE THE 1ST RESPONDENT.

EXT. P4 : TRUE COPY OF THE OBJECTION FILED BY THE 2ND RESPONDENT TO THE CLAIM PETITION FILED BY THE PETITIONER.

K.M.JOSEPH, J.

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WP.(C) No.24489 of 2007

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Dated this the 10th day of October, 2007

JUDGMENT

Prayers in the writ petition are as follows:

(i) issue a writ of certiorari or any other appropriate writ, order or direction to quash Ext.P2 order of attachment issued by the 1st respondent.

(ii) issue a writ of mandamus or any other appropriate writ, order or direction, directing the 1st respondent to consider Ext.P3 claim petition.

2. After hearing counsel, I feel that a decision can be ordered to be taken on Ext.P3 claim petition.

Accordingly the writ petition is disposed of directing the first respondent to consider and take a decision on Ext.P3 claim petition in accordance with law after hearing the parties. An order shall be passed as aforesaid within a period of six weeks from the date of receipt of a copy of this judgment.

(K.M. JOSEPH, JUDGE)

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